

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 125

AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 27-7-5-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 1.5. (a) As used in this section, "commercial vehicle policy" means an insurance policy that provides coverage for at least one (1) of the following:**

- (1) A motor vehicle that is rated or insured as a business or commercial vehicle.**
- (2) A motor vehicle that is licensed by the state as a commercial vehicle.**
- (3) A commercial motor vehicle business, including an:**
 - (A) individual who; or**
 - (B) entity that;**

is in the business or occupation of selling, repairing, servicing, storing, or parking motor vehicles, including a business that is a commercial garage operation, an automobile sales entity, a motor vehicle repair entity, a motor vehicle service station, or a public parking operation.

- (4) A motor vehicle that is used as a public or private livery or a rental conveyance.**

- (5) A motor vehicle that is owned or used by a named insured that is not a natural person.**

SEA 125 — Concur+



C
o
p
y

(b) This chapter does not require an insurer to make available uninsured motorist or underinsured motorist coverage described in section 2 of this chapter in connection with the issuance of a:

- (1) commercial liability policy, including a commercial vehicle policy;
- (2) commercial umbrella or excess liability policy;
- (3) commercial liability policy that provides hired or nonowned motor vehicle liability coverage; or
- (4) commercial liability policy that provides limited or incidental coverage for liability arising out of the ownership, maintenance, operation, or use of a motor vehicle, including a motor vehicle that is:

(A) not subject to motor vehicle registration; and

(B) not intended or designed to be used on a public roadway.

SECTION 2. [EFFECTIVE JULY 1, 2005] (a) The department of insurance shall, not later than December 31, 2007, assess and report to the legislative council in an electronic format under IC 5-14-6 the:

- (1) market availability of;
- (2) competition for; and
- (3) sales since June 30, 2005, of;

commercial uninsured motorist and underinsured motorist coverage in Indiana on July 1, 2007.

(b) This SECTION expires January 1, 2008.

C
O
P
Y



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

C
O
P
Y

SEA 125 — Concur+

